

IN THE CHANCERY COURT OF PHILLIPS COUNTY, ARKANSAS

CEDAR CHEMICAL CORPORATION

PLAINTIFF

VS.

No. E-91-349

WORMALD U.S., INC.

DEFENDANT

WORMALD U.S., INC.

THIRD PARTY
PLAINTIFF

VS.

HELENA CHEMICAL COMPANY, BASF
AKTENGESELLSHAFT, BASFIN CORP.,
BASF CORP., VERTAC CHEMICAL
CORP., INC., (Individually, and
as successor to Vertac, Inc., and
its predecessors and/or subsidiaries,
Vicksburg Chemical Company, Eagle
River Chemical Company, Transvaal, Inc.,
Vertac Consolidated, Inc., Chemical
Contractors, Inc. and Chemform, Inc.),
EAGLE RIVER CHEMICAL COMPANY, VICKSBURG
CHEMICAL COMPANY, A Subsidiary of Cedar
Chemical Corporation, CHEMFORM, INC.,
CHEMICAL FORMULATORS, INC., KINCAID
ENTERPRISES, INC., J. A. WILLIAMS,
INDIVIDUALLY, R. E. KINCAID, Also
Known as GENE KINCAID, Individually,
BLACKHAWK WAREHOUSING AND LEASING
COMPANY, EAGLE KAID CHEMICAL COMPANY,
EAGLE KAID, INC., EAGLE KAID,
JOHN DOE INDIVIDUALS AND JOHN DOE
CORPORATION AS OTHER POTENTIALLY
RESPONSIBLE PARTIES

*Sent
with
agreed
order
10/18/94*

1,2-Dichloroethane
Major Groundwater
contaminant

THIRD PARTY
DEFENDANTS

AGREED ORDER

It appearing to the Court from statement of counsel that
the drum removal cost claims herein which were set for trial
beginning October 10, 1994 in accordance with the Court's Order
dated April 18, 1994, as amended by Order dated September 8, 1994,



162746


have been settled, all in accordance with a Settlement Agreement among Cedar Chemical Corporation, Wormald U.S., Inc. and Helena Chemical Company dated as of October 13, 1994.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED by consent of counsel that the drum removal cost claims and Cedar's claims for past investigation costs incurred through October 13, 1994, which are the subject of the Complaint and Amended Third-Party Complaint herein, be and the same hereby are dismissed with prejudice.

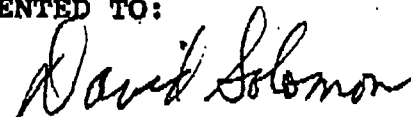
IT IS FURTHER ORDERED by consent of counsel that all claims asserted against J. A. Williams, Third-Party Defendant herein, be and the same hereby are dismissed with prejudice.

IT IS FURTHER ORDERED that the Court retains jurisdiction of this case with respect to all other claims and third-party claims asserted by the parties herein and for the purpose of enforcing the aforesaid Settlement Agreement.

ENTERED this 24th day of October, 1994.


CHANCELLOR BENTLEY E. STORY

CONSENTED TO:


Counsel for Cedar Chemical Corporation


Counsel for Wormald U.S., Inc.


Counsel for Helena Chemical Company

22 November 1994

CODE BENTLEY E. STORY
DIV: ONE DATE _____
BENCH TRIAL ☐
NON-TRIAL ☒

FILED

2 At 9:15 O'Clock A M

NOV 23 1994

CLERK OF COURT
CIRCUIT AND CHANCERY CLERK
By: 

Counsel for BASFIN Corp. and
BASF Corp.

Robert R. Ross, by *Q. Allen*, with permission
Counsel for Vertac Chemical Corp., Inc.

Q. Allen
Counsel for Vicksburg Chemical Company

G. Alan Parkins
Counsel for Chemical Formulators, Inc.,
R. E. Kincaid and Kincaid Enterprises, Inc.

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Robert J. Donovan, by *Q. Allen*, with permission
Counsel for Blackhawk Warehousing and
Leasing Company